

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PETER GAKUBA,

3:15-cv-00496-BR

Plaintiff,

ORDER

v.

HOLLYWOOD VIDEO, INC., aka  
Movie Gallery, dba Hollywood  
Video/Movie Gallery Customer  
Service; ERIC HOLDER, in his  
official capacity as United  
States Attorney General; LISA  
MADIGAN, in her official capacity  
as Illinois Attorney General,

Defendants.

BROWN, Judge.

This matter comes before the Court on Plaintiff's Motion  
(#1) for Temporary Restraining Order. After reviewing  
Plaintiff's Motion and other filings, the Court orders as  
follows:

1) Plaintiff has not made any showing of exigent circumstances sufficient to permit this Court to issue a temporary restraining order based on Plaintiff's *ex parte* showing. Accordingly, the Court **DENIES** Plaintiff's Motion (#1) for Temporary Restraining Order. To the extent that Plaintiff requests a preliminary injunction in the Motion, the Court also **DENIES** that request as premature. The Court, however, grants Plaintiff leave to re-file a motion for preliminary injunctive relief after all Defendants have been properly served, all Defendants have made an appearance in this matter, and this Court has held a scheduling conference in the ordinary course.

2) The Court construes that portion of Plaintiff's Motion that Plaintiff has titled "Complaint" as the operative complaint in this case. The Clerk shall docket those pages as the Complaint with which Defendants are to be served.

3) Consistent with this Court's Order (#7) to Proceed In *Forma Pauperis*, Plaintiff shall submit not later than **April 27, 2015**, all documents necessary for the U.S. Marshal's Service to effectuate service on Defendants (see attached Order granting in *forma pauperis* status).

4) If Plaintiff would like to have representation by counsel in this matter, Plaintiff may file a motion requesting appointment of *pro bono* counsel after which the Court will

endeavor to find counsel to accept *pro bono* appointment to assist Plaintiff herein.

IT IS SO ORDERED.

DATED this 27<sup>th</sup> day of March, 2015.

s/ Anna J. Brown  
ANNA J. BROWN  
United States District Judge